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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-44348-2019

Date of decision : 27.04.2022

Mandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sonal Soi, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. J.S. Thakur, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.157 dated 30.09.2019 registered under Sections 406 and 420 of the Indian Penal Code, 1860 at Police Station Kartarpur, District Jalandhar Rural.

On 18.10.2019, a Coordinate Bench of this Court was pleased to pass the following order:-

“Contends that parties have already taken resort to the civil suit.

Notice of motion for 06.12.2019.

Mr.J.S. Thakur, Advocate, appears on behalf of the complainant and files his power of attorney, which is taken on record.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.

October 18, 2019

Sd/-(MAHABIR SINGH SINDHU)

JUDGE ”

On 27.02.2020, another Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the complainant states that to explore the possibility of amicable settlement, the matter be referred to Mediation and Conciliation Centre of this Court. Learned counsel for the petitioner states that he does not object the same.

Accordingly, the matter is referred to Mediation and Conciliation Centre of this Court directing the parties to appear there on 18.3.2020 and report there from be awaited for 21.5.2020.

Interim order to continue till then.

Sd/-(H.S. MADAN)

JUDGE

27.02.2020”

In pursuance of the abovesaid order dated 27.02.2020 and also subsequent orders passed, learned counsel for the petitioner has submitted that the parties had appeared before the Mediation and Conciliation of this Court and the matter has been finally settled between the petitioner and complainant-Vipan Kumar Mehta and the detailed compromise dated 19.04.2022 has been executed between both the parties. In para 7(d)(i) of

the compromise, it has been stated that the complainant would have no objection in case, the present FIR is quashed on the basis of compromise.

Learned counsel for the State, on the other hand, has submitted that he is not aware about the said compromise as apparently, same has been entered into before the Mediation and Conciliation Centre of this Court.

Keeping in view the abovesaid facts and circumstances moreso, the facts that the matter has been compromised before the Mediation and Conciliation Centre of this Court and detailed compromise dated 19.04.2022 has already been entered into wherein it has been specifically stated that the complainant would have no objection in case, the FIR and all the subsequent proceedings arising therefrom are quashed, the present petition is allowed and the interim order dated 18.10.2019 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

27.04.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**